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# COLLINS CENTER SENIOR SYMPOSIUM: EXAMINING CRITICAL INFRASTRUCTURE PROTECTION STRATEGIES

***By Prof. Bert Tussing, Dr. Kenneth Butts, and COL John Traylor***

***"The September 11 attacks demonstrated the extent of our vulnerability to terrorist threat. In the aftermath of these tragic events, we have demonstrated firm resolve in protecting our critical infrastructures and key assets from further terrorist exploitation. The success of our protective efforts requires close cooperation between government and the private sector at all levels."***

***President George W. Bush***
***February 2003***

Among the leading concerns surrounding Homeland Security in the United States is Critical Infrastructure Protection (CIP). Identifying, prioritizing, and providing for the protection of infrastructure so vital to the United States that its incapacity or destruction "would have a debilitating impact on security, national economic security, national public health or safety, or any combination of those matters" is one of the most compelling issues facing the Department of Homeland Security, its interagency partners, state and local governments, and the private sector.

On 25 May 2004, the Army War College's Center for Strategic Leadership hosted a senior symposium dedicated to examining the United States' evolving strategies for the protection of critical infrastructure and key assets in our country. The forum brought together a distinguished panel of seven retired generals and senior civilian officials, from both the public and private sectors, all actively involved in homeland security issues. The immediate intent of the symposium was to gather insights on the directions taken by these strategies for use in future studies, wargames and syllabus development addressing the changing face of homeland security. At the same time, the Center hoped to use the insights as a "springboard" for an expanded symposium on CIP, "In Support of the Common Defense," which took place at Collins Hall on from 25-26 August. By extension, the War College hoped to contribute in the search for the surest path to the inherently complex end of critical infrastructure protection.

The experience base of the panel provided for first hand discussion of studies ranging from the Report of the President's Commission on Critical Infrastructure in 1997 through the results of the 2003 Defense Science Board (DSB) Summer Study on the Department of Defense's Roles and Missions for Homeland Security. A rich discussion ensued touching a number of sectors surrounding homeland security strategies, especially as they pertained to critical infrastructure.

[1] USA Patriot Act, HR 3162

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## AUTHORITY, RESPONSIBILITY AND OVERSIGHT IN CIP

The panelists agreed that Critical Infrastructure Protection, perhaps more than any other aspect of homeland security, is a *national* issue, whose responsibilities must be shared among federal, state and local governments, and between both the public and private sectors. While it is true that clear direction must emanate from the federal government, that direction will have to be derived from open consultation with all other "stakeholders." The importance of *state strategies* for critical infrastructure was discussed, even while acknowledging that most of those developed to date were focused more on acquiring federal grants than providing protection. The potential of establishing a *regional coordination mechanism* for the consolidated protection of critical infrastructure and key assets was raised, with the suggestion that existing *Emergency Management Assistance Compacts (EMACs)* could serve as a logical starting point to construct these mechanisms. One panelist suggested that the *National Capitol Region* could also serve as an effective blueprint from which to launch other regional initiatives.

The lead role of the Department of Homeland Security in CIP was acknowledged by all participants, while voicing real concern over what they held to be some unhealthy "top-down" approaches. At the same time, the participants acknowledged that the department was still in the early stages of its maturation process, and that in time the types of free consultation envisioned in their discussion could result in policy that is both effective and adaptive. The role of the Homeland Security Council (HSC), however, was frequently denigrated in the panel's discussion, portraying the body as unnecessarily divisive when viewing a broader national security perspective. Several members of the forum opined that the homeland security function of the HSC should be absorbed into the National Security Council (NSC), bringing a clearer, undivided focus to "the first and fundamental commitment of the Federal Government."

The body was unanimous in its disappointment in the role that Congress has assumed to date in overseeing Critical Infrastructure Protection. The failure of the Senate to establish a dedicated body for homeland security issues has been barely outdone by the woefully partisan atmosphere that characterizes activities in the House Select Committee. One participant opined that the preponderance of the government's process in CIP had occurred by way of Executive Order, "which is inherently less effective than legislation." The current climate in Congress shows little hope for that condition improving.

The paramount importance of closely coordinating CIP with the private sector was acknowledged, but the general opinion of the symposium's participants was that the public-private partnership was "broken." No place was the "top-down" direction from the federal government found to be more lacking than in their dealings with the private sector; panelists held that the requirement for a concurrent "bottom-up" approach in private sector consultation was essential in effecting CIP strategies. Having said that, one participant noted that the private sector, free of certain political burdens, had been more forthcoming with the states than many of their local jurisdictions in defining their critical infrastructure requirements and vulnerabilities. The panelists joined the frequently voiced position that information/intelligence flow to the private sector (to say nothing of state and local authorities) still represents an urgent requirement for the federal government; but they went on to charge the private sector as being less-than-forthcoming in the information they share "up the chain." Attention was drawn to the recommendation of the DSB calling for a coordinated effort of intelligence and information managers in the public and private sectors to "ground out procedures, policy, and technologies" to allow for interoperable exchange of essential information.

The body reiterated a position that most protection for the private sector will have to come from within. However, a significant amount of the regulation surrounding these organizations should also come from

outside the government, whether that regulation is derived within the sector specific community (e.g., energy, transportation, agriculture) or from consultation and coordination with applicable insurance entities. And while certain government regulation may be inevitable, government incentives should be equally inevitable in keeping with the espoused principle calling for "market solutions wherever possible and compensate for market failure with focused government intervention."[2]

## PRIORITIZING CRITICAL INFRASTRUCTURE

One panelist commented that the CIP efforts between the federal, state and local governments have amounted to "a lot of activity, unbounded by a clear vision." He went on to declare that we possess a "national strategy without a national program."[3] The participants agreed that the first task must be to arrive at a common stance on what constitutes "critical infrastructure." The federal government must take a clear lead in defining and prioritizing said infrastructure for protection, rising above partisan politics and emotional responses in making their assessment. An agreed upon set of metrics/criteria will be essential in breaking free of parochial burdens to make the realistic, albeit difficult decisions that lie ahead.

At several points in the symposium, the importance of exercises was raised in relation to identifying, validating, prioritizing, and finally protecting critical infrastructure. Due credit was paid to state and local initiatives that had already taken this direction, but questions were posed as to how those localized efforts could be "plugged in" to a larger, national perspective. A specific recommendation called for the development of "the top fifteen scenarios," designed to provide training for all stakeholders (federal, state, local, and private sector). Participants opined that these exercises could reveal strengths and weaknesses in our evolving CIP programs, from what should be addressed along tactical, operational, and strategic perspectives.

## CONTRIBUTIONS OF THE DEPARTMENT OF DEFENSE IN CIP

Concern was raised during the symposium over the perceived reticence of DoD in contributing to CIP beyond its own infrastructure and the Defense Industrial Base. Several panelists pointed to the Department's demonstrated competencies in testing, planning, budgeting, exercising and other strengths that could yield immediate benefits in CIP planning and execution. Particular attention was drawn to the type of disciplined analysis capability extant in the Department that could be transferred immediately to vulnerability and risk assessments.

Special attention was paid to the role of the National Guard and the United States Northern Command (NORTHCOM) in CIP. Panelists noted that NORTHCOM was searching for venues of situational awareness surrounding infrastructure vulnerability throughout the United States, and that the Guard provided access to that awareness. The chain of command that could tap into these insights and spawn accompanying response mechanisms—whether from NORTHCOM directly to the states, or from NORTHCOM to the states via a regional mechanism-- must be established in consultation with the combatant command and the Guard Bureau, and then exercised. Focusing directly on the National Guard, participants recommended that a certain set of core capabilities for civil support missions should be retained in every state. These will require transportation, engineering, medical, and aviation assets, and must be taken into account in the Bureau's search to rebalance "core competencies and very specialized capabilities."

Keeping the Guard on duty, however, was also a concern among the panelists. Several members of the forum commented that sustainment of forces, in the face of concurrent commitments overseas, is becoming a disquieting topic among the states' governors. An accompanying concern is mounting over the mobilization of "first responders," which the forum felt calls for a judicious new approach in activating forces for deployment.

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[2] *The National Strategy for the Physical Protection of Critical Infrastructure and Key Assets*, p ix

[3] Since the symposium, a draft of the National Infrastructure Protection Plan, mandated by Homeland Security Protection Directive 7, has been widely distributed for review and comment.

## CONCLUSION

The panel concluded that CIP is still an emerging process, but one that must evolve quickly. The shared responsibilities that must characterize this process will span all levels of government and the public and private sector. But before our society as a whole can take up this responsibility, they must be made aware that the responsibility is, in fact, theirs. One participant commented that our people have not been "conditioned to be inconvenienced;" that the reason we can't get our arms around the problem is the lack of a political approach to face the new reality. "We're looking—wrongly—for the uninterrupted operation of America." And America is at war.

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U.S. ARMY WAR COLLEGE
Center for Strategic Leadership
650 Wright Avenue
Carlisle, PA 17103-5049

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